

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Agriculture Department – Shri N. Ramachandra Rao, the then Assistant Director of Agriculture @ Mulugu, Warangal District now Retired – Penalty imposed in a disciplinary case of excess expenditure committed during 1995-96 and 1996-97 –Penalty Reviewed - Orders issued

AGRICULTURE AND COOPERATION (VIG.I)DEPARTMENT

G.O.Rt.No: 745

Dated: 25 /6/2009
Read the following:

- 1.G.O.Rt.No: 680, Dated: 26.7.2001, Agriculture & Cooperation (Vig.I)Department.**
- 2. Judgement of Hon'ble Andhra Pradesh Administrative Tribunal, in O.A.No: 8273/2002, Dated: 28.5.2008**
- 3. Government Memo No: 13398/Vig.i/A2/2002, Dated: 9.7.2008, Agriculture & Cooperation Department.**
- 4. Representation Dated: 27.9.2008, From Shri N.Ramachandra Rao, Assistant Director of Agriculture,(Retired.)**

ORDER:

In the reference 1st read above, Government imposed a penalty of recovery of excess expenditure of Rs.45,000/-(Rupees Forty Five Thousand only) from Shri. N.Ramachandra Rao, Assistant Director of Agriculture,(Retired) whom against the charge of incurring excess expenditure during 1995-96 & 1996-97 without obtaining prior permission from the competent authority was proved. Aggrieved by the penalty, the individual has approached Hon'ble Andhra Pradesh Administrative Tribunal by filing O.A.No: 8273/2002. In it's judgment dated: 28.5.2008, the Hon'ble Tribunal have observed procedural lapse of not communicating inquiry report to the individual, and therefore, has set aside the penalty orders issued and remanded the matter to Government to re-commence the disciplinary proceedings as far as the default noticed, and that after to conclude the proceedings, to pass appropriate orders in the case , as per the disciplinary rules in-force .

2. Government , vide reference 3rd read above, have communicated the inquiry report to the individual and requested to submit his representation on the findings of the inquiry officer. Shir N.Ramachandra Rao, vide the reference 3rd read above, has filed the representation and has stated that he worked at Seed Farm, Palampet for only 4 cropping seasons starting from Kharif 1995 to Rabi 1996-97, whereas in the inquiry report has shown the details of six cropping seasons starting from Khariff 1994 to Rabi 1996-97. And that expenditure of Rs. 6,500 was incurred based on the specific recommendation of the Assistant Director of Agriculture, Soil Testing Laboratory Warangal. The Inquiry officer has not taken into account the yield benefit accrued from the application of the Zinc Sulphate. And that G.O. Ms.No: 1493, Food &Agriculture Department, Dated: 22.5.2005 has delegated powers to the Assistant Director of Agriculture , I/c of Seed Farms to purchase of necessary Agri inputs, hence prior approval/sanction of Commissioner &Director of Agriculture is not necessary. Regarding the excess expenditure towards labour charges that observed by the Inquiry officer to have been incurred by him, the individual has contented that this was resulted in due to the time gap occurred between issuance of the orders by Government on Minimum Wages Act , and the operational guidelines by the Commissioner &Director of Agriculture, Hyderabad and that during this gap period he paid the wages as per the G.O orders only. Shri N.Ramachandra Rao has therefore requested the Government to set aside the penalty orders of recovery of amount of Rs. 45,000/-(Rupees forty five thousand only) from his pensionary benefits issued vide reference 1st read above.

(P.T.O)

3. Government have carefully examined the matter with the material available, and in the light of the observations of the Hon'ble Tribunal, and observed that the individual has incurred the said amount in excess of budget provision which is beyond his authority, but have observed that the amount was incurred for the legitimate items. In view of the fact, Government have considered to take a lenient view and to impose a penalty of 1 % pension cut for a period of One (1) year against him and to set aside the recovery of Rs. 45,000/- from his pensionary benefits, issued vide reference 1st read above.

4. Government hereby set aside the G.O.Rt.No: 680, Dated: 26.7.2001, Agriculture & Cooperation (Vig.I) Department , and here by impose a penalty of 1% pension cut for a period of one year against Shri.N.Ramachandra Rao, the then Assistant Director of Agriculture (Retired), Mulugu, Warangal District.

5. The Commissioner & Director of Agriculture, Hyderabad is requested to take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RACHEL CHATTERJEE
PRINCIPAL SECRETARY TO GOVERNMENT

To

Shri N.Ramachandra Rao, the then Assistant Director of
Agriculture, (Retired)Mulugu, Warangal District.
(Through The Commissioner and Director of Agriculture, Hyderabad)
The Commissioner and Director of Agriculture, Hyderabad
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER